

REMARKS

Independent Claim 67

All pending claims (independent claim 67 and dependent claims 67-70) are rejected over US Patent No. 6,535,493 to Lee et al in view of US Patent No. 6,804,221 to Magret et al. However, Magret should be removed as a reference pursuant to the enclosed Declaration Under 37 CFR 1.131, which establishes invention of the subject matter of claims 67-70 prior to Magret's effective date, which is Magret's filing date under 35 USC 102(e), of June 26, 2000. The rejections of claims 67-70 should therefore be withdrawn.

Regarding due diligence required by 37 CFR 1.131, the subject application claims priority of Provisional Application No. 60/214,080, which was filed June 27, 2000, just one day after the Magret reference's filing date. Due diligence from prior to Magret's filing date until the filing of the parent provisional application the very next day is self-evident.

Even if Magret were prior art, it would not, as the Examiner asserts, disclose a limitation common to all pending claims of "a local base station being configured to maintain a routing cache" and "to route an outgoing communication . . . directly through a different local base station using the routing cache." In Magret, the base station 210 (which communicates wirelessly with a mobile device) neither uses its maintained cache to route an outgoing communication nor sends the communication directly through another base station. Magret's base station 210 instead sends the communication ("packet") two hierarchical layers up the ladder to a MAR 230 ("main access router") for the MAR 230 to attach a destination IP address to the packet and to forward the communication onward (col. 13, lines 54-60; col. 15, lines 42-45; and claim 6).

The application is therefore now in condition for allowance, and allowance is requested.

Respectfully submitted,


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